## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

10/529,048 =

Applicant(s)

Holger KLAPPROTH et al.

Filed

March 24, 2005

Title

Method and Device for the Detection of at Least

**One Luminescent Substance** 

Art Unit

:

Not Yet Assigned

Examiner

Not Yet Assigned

Confirmation No.

Unknown

Customer No.

28289

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants hereby submit this Information Disclosure Statement, which includes a completed Form PTO/SB/08A and one (1) copy of each reference identified therein.

This application is the U.S. national phase of PCT Application No. PCT/EP2003/010144, filed September 12, 2003, corresponding and claiming priority to German Application No. 102 45 432.9, filed September 27, 2002. Some of the references identified in Form PTO/SB/08A were cited in an International Search Report (ISR), dated February 9, 2004 and in an International Preliminary Examination Report (IPER) dated October 22, 2004 in the underlying PCT Application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 9, 2005.

Pauline J. Moyles
Name of Person Mailing Paper

O9/09/2005

Signature

Date

{W0207106.1}

Copies of the ISR and IPER are enclosed herewith. The references cited in the ISR and the IPER are relevant for the reasons stated therein. Pursuant to 37 C.F.R. § 1.98, no copies of the United States patents are enclosed.

The relevance of German Patent Application Nos. DE 199 40 751 and DE 198 44 713 and European Patent Application Nos. EP 0 953 835 and EP 0 723 146 is indicated in the corresponding English-language abstracts, enclosed herewith. The relevance of German Patent Application Nos. DE 197 25 050, DE 198 08 936, and DE 100 36 457 is indicated in the corresponding English-language abstracts and U.S. Patent Nos. 6,534,011 and 6,664,071 and U.S. Patent Application Publication No. 2003/01575581, respectively.

The relevance of the additional reference cited on page 2 of Form PTO/SB/08A is indicated in the abstract.

Pursuant to 37 C.F.R. § 1.97(b)(3), no fee is believed to be due for the submission of this Information Disclosure Statement, as it is being submitted before the mailing date of a first Office Action on the merits. Nevertheless, the Commissioner for Patents is hereby authorized to charge any fees which may be required to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Information Disclosure Statement are enclosed.

Respectfully submitted,

THE WEBB LAW FIRM

Ву

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PTO/SB/08A (08-00)

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Substitute for form 1449A/PTO Complete if Known INFORMATION DISCLOSURE **Application Number** 10/529,048 STATEMENT BY APPLICANT Filing Date March 24, 2005 First Named Inventor Holger Klapproth et al. Group Art Unit Not Yet Assigned (use as many sheets as necessary) **Examiner Name** Not Yet Assigned 4587-045811 **Attorney Docket Number** Sheet of

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant
		Number	Kind Code <sup>2</sup>		MM-DD-YYYY	Passages or Relevant Figures Appear
	1.	6,325,977	B1	Theil	12/04/2001	
	2.	6,274,085	B1	Hollering et al.	08/14/2001	
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· -	6.	5,061,076	Α	Hurley	10/29/1991	
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FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.1	Office <sup>3</sup>	Foreign Patent Doc	Kind Code <sup>5</sup>	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
,	7.	EP	0 640 828	A1	F. Hoffman- LaRoche & Co	03/01/1995		
	8.	EP	0 723 146	Al	SRI International	07/24/1996	Page 1	
	9.	EP	0 953 835	Al	Affmax Technologies N.V.	11/03/1999		
	10.	DE	10036457	A1	Giesing	02/14/2002		17
	11.	DE	19940751	Al	Febit Ferrarius Biotechnology	03/02/2000		1
	12.	DE	19844713	A1	GSF Forschungszentrum Umwelt	04/13/2000		7
	13.	DE	19808936	Al	Aventis Res & Tech GmbH & Co.	09/16/1999		1
	14.	DE	19725050	Al	Fraunhofer Ges Forschung	12/17/1998		1

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Substitute for for	rm 1449A/PTO					
	– . – .			Complete if Known		
INFORI	MATIO	N DISCLO	DSURE	Application Number	10/529,048	
STATE	MENT	BY APPL	ICANT	Filing Date	March 24, 2005	
017(12		J. 7		First Named Inventor	Holger Klapproth et al.	
(use as many sheets as necessary)				Group Art Unit	Not Yet Assigned	
				Examiner Name	Not Yet Assigned	
Sheet	2	Of	2	Attorney Docket Number	4587-045811	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, cite and/or country where published.	T²			
	1.	CORSTJENS, PAUL et al.; Use of Up-Converting Phosphor Reporters in Lateral-Flow Assays to Detect Specific Nucleic Acid Sequences: A Rapid, Sensitive DNA Test to Identify Human Papillomavirus Type 16 Infection; (2001); pgs. 1885-1893				
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